

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTSCASE NO. CR05-10154United States
PLAINTIFFJohn Diamont
DEFENDANTPeter Mullin

Mike Kendall
Lauren Papenhausen
COUNSEL FOR PLAINTIFFCOUNSEL FOR DEFENDANTJUDGE WolfCLERK O'LearyREPORTER RomanowCLERK'S NOTES

DATES:	Motion Hearing
12/13/06	Court takes up the defendant's motion for a evidentiary hearing regarding (docket no. 70).
	Court denies the motion for pre-trial hearing without prejudice to reconsideration after the court receives the
	government's trial brief. Court listens to further arguments and will take a brief recess after it hears
	arguments on the other two pending motions. Court orders the government to turn over any information
	regarding criminal conduct of Y. Strogoff to the defendant. Government asks to make an ex-parte submission
	to the court. Court grants the request and orders the government to submit a memorandum along with its
	ex-parte submission. Submission shall be made by December 21, 2006 under seal. After a short recess
	Court informs the parties that its initial opinion remains the same and turns its attention towards setting a
	reliable trial date for the matter. Court orders the parties to confer 1/5/07 and supplemental their briefs
	regarding defendant's motion for a pre-trial hearing 1/12/07. Further hearing on the motion will be held on
	1/22/07 at 2:00 PM and continue on 1/23/07 if necessary. Trial date set for 4/30/07. A pre-trial order will
	be completed at the next hearing. Parties also ordered to confer and government to submit a proffer
	regarding statements subject to a Petruzzio ruling by 1/12/07 as well. Court authorizes the matters filed
	under seal to remain under seal at least temporarily. Court orders the removal of Mr. Strogoff's attorney so
	that he no longer receives CM/ECF notices.